

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 6:13-cr-10004-JTM-1

TROY A. BONG,

Defendant.

ORDER

This matter is before the court on defendant's renewed motion for appointment of counsel (Dkt. 81). The court initially denied defendant's request for appointment of counsel on his § 2255 motion, but it subsequently granted a request to appoint counsel for the limited purpose of assisting defendant with any claims relating to *Johnson v. United States*, 135 S.Ct. 2551 (2015). See Dkts. 70, 74. Defendant now asks the court to extend the scope of counsel's appointment to areas outside of *Johnson*. The court declines to do so.

Defendant cites two reasons in support of his request. First, he argues that he has limited time to prepare a reply brief. But the court has just granted his request for an extension of time and has extended the reply date to September 3, 2016. Dkt. 82. He also cites the "complex issues" raised in the United States' response brief. With the exception of *Johnson* matters, however, the issues appear relatively straight forward and are based largely on defendant's claims that his attorney failed to investigate or argue various

matters. As the court indicated previously, if it determines that any of these claims merit a hearing, it will appoint counsel to represent defendant in connection with the hearing. At this time, however, defendant has not shown that appointment of counsel beyond the *Johnson* issues is warranted.

IT IS THEREFORE ORDERED this 2nd day of June, 2016, that defendant's Renewed Motion for Appointment of Counsel (Dkt. 81) is DENIED.

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE